

generally known? It's less than a majority of the 50, and it's far less than a majority of the total number in that particular avocation or occupation or pursuit. So what Senator Ashford wants to be able to say is that even if the person making use of this can show that it is known and that the knowledge was obtained by proper means, if it's not generally known or known by a majority of the people who are concerned, then it can be labeled a trade secret and we're winding up with an artificial definition of trade secret. These individual words that we use to designate the trade secret, such as drawing, formula, and so forth, have no real meaning if you leave this word "generally" in front of "known" and "readily" in front of "ascertainable". I would like to ask Senator Ashford a question.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Yes.

SENATOR CHAMBERS: Senator Ashford, what does "readily" mean?

SENATOR ASHFORD: The way I define "readily", you have to look...the word "readily" has to be...it can only be defined as it pertains to available where...

SENATOR CHAMBERS: Ascertainable.

SENATOR ASHFORD: Ascertainable. It is...it is less than a certainty. It's readily ascertainable, that means that it...and not being readily ascertainable, that means that it is not easily ascertainable or it is not something that can be in just...in common events or common days events can be ascertainable, takes some skill for it to be ascertainable.

SENATOR CHAMBERS: So what you're really doing then is putting a limitation on the skill of a person to arrive at a certain end rather than protecting that which has already been found by somebody else. You're putting a limitation on my skill to determine something. If it requires just run-of-the-mill knowledge and ability to ascertain whatever it is, then that cannot be a trade secret. But if we're dealing in a highly technical area where it requires an especial amount of skill, and I have developed that skill, and I independently arrive at the same conclusion, you're saying because your person arrived at it first, even though I arrived at it independently, it can be called a trade secret, which might contradict other things in